THE CORPORATION OF THE CITY OF BELLEVILLE

COUNCIL MEETING MINUTES

JANUARY 27, 2020

The Regular Meeting of the Council of the Corporation of the City of Belleville was held on the above date in the City Hall Council Chamber at the hour of 4:00 p.m.

It is noted that there was a City Council In Camera (closed session) Meeting at 12:30 p.m. to 4:00 p.m. At 12:30 p.m., City Council was requested to consider approval of the following resolution. This took place in a very brief Open session, immediately prior to entering into In Camera session.

Moved by Councillor Culhane Seconded by Councillor Sandison

THAT City Council enter into In Camera session to consider the following items, pursuant to Section 239 of the Municipal Act.

- In Camera Report No. APS-2020-05 regarding litigation or potential litigation (Pursuant to Section 239(2)(e) of the Municipal Act)
- In Camera Report No. APS-2020-06 regarding litigation or potential litigation (Pursuant to Section 239(2)(e) of the Municipal Act)
- In Camera Report No. DEDS-2020-04 regarding litigation or potential litigation (Pursuant to Section 239(2)(e) of the Municipal Act)
- In Camera Report No. CAO-2020-05 regarding personal matters about an identifiable individual (Pursuant to Section 239(2)(b) of the Municipal Act
- In Camera Report No. AMHR-2020-01 regarding labour relations or employee negotiations (Pursuant to Section 239(2)(d) of the Municipal Act
- In Camera Report No. DCS-2020-07 regarding potential acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act

- In Camera Report No. DEDS-2020-03 regarding personal matters about an identifiable individual (Pursuant to Section 239(2)(b) of the Municipal Act
- In Camera Report No. GMES-2020-04 regarding litigation or potential litigation (Pursuant to Section 239(2)(e) of the Municipal Act
- In Camera Report No. GMES-2020-03 regarding litigation or potential litigation (Pursuant to Section 239(2)(e) of the Municipal Act
- In Camera Report No. CFAM-2020-05 regarding litigation or potential litigation (Pursuant to Section 239(2)(e) of the Municipal Act
- Review of the Regular In Camera Minutes of January 13, 2020.

- CARRIED -

1. CALL TO ORDER

1.1. **ATTENDANCE**

PRESENT His Worship Mayor Panciuk

Councillor Carr Councillor McCaw
Councillor Culhane Councillor Sandison
Councillor Kelly Councillor Thompson
Councillor Malette Councillor Williams

(Matt MacDonald, City Clerk)

2. MOMENT OF REFLECTION

2.1 City Clerk, Matt MacDonald, opened this session of Council with a Moment of Reflection.

His Worship Mayor Panciuk read a statement regarding the 75th Anniversary of the liberation of Auschwitz and asked for a moment of reflection.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

His Worship Mayor Panciuk declared a pecuniary interest in By-law Number 2020-16 (Stanley Park Development Charges) as he lives in the area. He will therefore be refraining from discussion and voting on this matter in view of the possibility that a Pecuniary Interest may be involved.

4. **PUBLIC MEETINGS**

None.

5. READING AND CONFIRMATION OF MINUTES

Moved by Councillor Kelly Seconded by Councillor Malette

THAT the Minutes of the Regular Council Meeting of January 13, 2020 and Regular In Camera Meeting of January 13, 2020, be approved.

- CARRIED -

6. <u>DEPUTATIONS</u>

6.1 Mayor Paniuk presented a Certificate to Isaac Kerr, Bantam Provincial Champion for Ontario Bowling. Isaac also made a deputation to Council.

Moved by Councillor Kelly Seconded by Councillor McCaw

THAT the presentation of a Certificate by His Worship Mayor Panciuk to Isaac Kerr, Bantam Provincial Champion at the Ontario Bowling games in December 2019 and the deputation by Isaac regarding his advancement to the National Bowling Championship in Calgary in May 2020 be received.

6.2 Laura Hatt made a deputation to Council

Moved by Councillor Culhane Seconded by Councillor Thompson

THAT the deputation by Laura Hatt regarding Meyers Pier being named after a 19th century slave owner and asking that it be renamed and a plaque erected commemorating the black family that Meyers enslaved, was received.

- CARRIED -

6.3 Todd Storms, City Solicitor provided information to Council on the new Ontario Construction Act

Moved by Councillor Culhane Seconded by Councillor Sandison

THAT the presentation by Todd Storms, City Solicitor providing information to Council on the new Ontario Construction Act be received.

- CARRIED -

7. <u>CORRESPONDENCE</u>

There were no items brought forward under this section on today's Agenda.

At the December 9, 2019 Regular Council Meeting, Councillor Carr had made a request under New Business for a staff report relating to the Integrity Commissioner's report dealing with issues with the City's hiring policy. His Worship Mayor Panciuk provided details regarding Councillor Carr's request which ultimately was ruled Out of Order. Mayor Panciuk advised that the issue was the subject of an In Camera report by the Chief Administrative Officer at the January 13, 2020 Regular Council Meeting.

8. COMMITTEE OF THE WHOLE

MOTION TO GO INTO COMMITTEE OF THE WHOLE TO HEAR AND CONSIDER REPORTS, PASSING OF RECOMMENDATIONS AND RESOLUTIONS

Moved by Councillor Culhane Seconded by Councillor Kelly

THAT Council rise and go into Committee of the Whole to hear and consider reports, passing of recommendations and resolutions with Councillor McCaw in the Chair.

- CARRIED -

8. a. REPORTS

8.a.1 AMENDED CODE OF CONDUCT POLICY – MEMBERS OF COUNCIL & LOCAL BOARDS

Moved by Councillor Sandison Seconded by Councillor Culhane

REC. NO. 37/20

THAT pursuant to the Director of Corporate Services/Clerk's Report No. DCS-2020-08, Council **receive** the "Code of Conduct for Members of Council & Local Boards Policy"; and,

THAT staff be directed to review other municipalities' policies and prepare an amended "Code of Conduct for Members of Council & Local Boards Policy" for Council's consideration.

Members of Council spoke on this resolution and a Recorded Vote was requested.

YEAS: Councillor Culhane

Councillor McCaw Councillor Sandison His Worship Mayor Panciuk NAYS: Councillor Carr
Councillor Kelly
Councillor Malette
Councillor Thompson

Councillor Williams

YEAS: In total number of (4) four NAYS: In total number of (5) five

The resolution - FAILED -

Moved by Councillor Sandison Seconded by Councillor Culhane

REC. NO. 38/20 THAT the following amendment be made to the "Code of Conduct for Members of Council & Local Boards Policy":

REMOVE subsection15.4 - "Members shall be mindful of the cost to the Municipality to obtain the advice or opinion of the Integrity Commissioner and shall not abuse this entitlement."

Members of Council spoke on this resolution and a Recorded Vote was requested.

YEAS: Councillor Culhane Councillor McCaw

Councillor Sandison

NAYS: Councillor Carr Councillor Kelly Councillor Malette Councillor Thompson Councillor Williams

His Worship Mayor Panciuk

YEAS: In total number of (3) three NAYS: In total number of (6) six

The resolution

- FAILED -

Moved by Councillor Williams Seconded by Councillor Malette

39/20

THAT pursuant to the Director of Corporate Services/Clerk's Report No. DCS-2020-08, Council approve the "Code of Conduct for Members of Council & Local Boards Policy"; and

THAT the following amendments be made to the "Code of Conduct for Members of Council & Local Boards Policy":

Insert the following wording at the beginning of subsection 11.7(a) - "While it is understood that Chairs of committees and local boards must have increased interaction with Department Heads and Staff."

Remove subsection 9.3 (c) – "if there is doubt about whether or not a conflict exists, seek the advice of the Integrity Commissioner or independent legal counsel at the Member's expense"; and,

THAT By-law 2019-48 (Procedural By-law) be amended for Council's consideration.

NAYS: Councillor Culhane

Councillor McCaw

Members of Council spoke on this resolution and a Recorded Vote was requested.

YEAS: Councillor Carr

Councillor Kelly Councillor Malette Councillor Sandison Councillor Thompson Councillor Williams

His Worship Mayor Panciuk

YEAS: In total number of (7) seven NAYS: In total number of (2) two

The resolution was - CARRIED -

8.a.2 DISPOSAL OF SURPLUS LAND - 41 OCTAVIA STREET - FORMER COMMUNITY RESOURCE CENTER QUINTE (CRCQ)

Moved by Councillor Culhane Seconded by Councillor Thompson

REC. NO. 40/20

THAT pursuant to the Director of Corporate Services/Clerk's Report No. DCS-2020-06, the property known as 41 Octavia Street be declared surplus to the City's requirements; and

THAT Management be directed to initiate a commercial listing of 41 Octavia Street (former CRCQ) with the City's contract Realtor.

8.a.3 **DISPOSAL OF SURPLUS LAND – GIFFORD ROAD**

Moved by Councillor Carr Seconded by Councillor Sandison

REC. NO. 41/20

THAT pursuant to the Director of Corporate Services/Clerk's Report No. DCS-2020-05 the unopened laneway between Lots 15 and 16, Concession 9, former Township of Thurlow, now Ciy of Belleville, be declared surplus to the City's requirements; and

THAT Management be directed to prepare a bylaw to stop-up, close and convey the subject property to the abutting property owner.

- CARRIED -

8.a.4 UPDATED PARKS AND OPEN SPACE BY-LAW

Moved by Councillor Kelly Seconded by His Worship Mayor Panciuk

THAT pursuant to the General Manager of Transportation and Operations Services' Report No. GMTOS-2020-04 regarding a new Parks and Open Space By-law, that a by-law be prepared for Council's consideration.

- CARRIED -

8.a.5 **PURCHASE OF ONE NEW ICE RESURFACER**

Moved by Councillor Sandison Seconded by Councillor Kelly

THAT in accordance with Section 30.3 Sole and Single Sourcing – Approval and Reporting of the City's Purchasing By-law Number 2020-09, the quotation from Zamboni Company be accepted for the supply of 1-2020 Model 526 Zamboni in the amount of \$96,475.75 plus \$12,541.85 for a total amount of \$109,017.60, and that the Mayor and

City Clerk be authorized to sign the Acceptance Agreement on behalf of the Corporation of the City of Belleville and that the City Clerk be authorized to fix the Corporate Seal

- CARRIED -

8.a.6 **CENSUS METROPOLITAN AREA(CMA) NAME CHANGE**

Moved by Councillor Malette Seconded by Councillor Sandison

REC. NO. 44/20

THAT Report No. ECDEV-2020-03 regarding a change to the Census Metropolitan Area (CMA) name from "Belleville CMA" to "Belleville-Quinte West CMA" be approved and a letter supporting the name change be forwarded to Statistics Canada.

-CARRIED-

8.a.7. **2020 POP-UP SHOP LOCATION**

Moved by Councillor Sandison Seconded by Councillor Williams

THAT Report No. ECDEV-2020-04 regarding the location of Pop-up Shops for 2020 be received; and further

THAT Council approve West Zwick's Park as the preferred location for the Pop-Up Shops in 2020.

- CARRIED -

8. b. CONSENT ITEMS

Moved by Councillor Carr Seconded by Councillor Malette

46/20 THAT the following Agenda items be approved with the exception of Item 8.b.8.

8.b.1 EXECUTION OF SERVICING AGREEMENT, AVONLOUGH ROAD, PART OF LOTS 33 & 34, CONCESSION 1 AND PART OF LOT 33, BROKEN FRONT OF CONCESSION AND PART OF LOT 9, REGISTERED PLAN 799, FORMERLY TOWNSHIP OF SIDNEY, NOW IN THE CITY OF BELLEVILLE, FILES: DS-11

REC. NO. 47/20

THAT a by-law to approve and authorize the execution of a Servicing Agreement between Village of Avonlea Ltd., Ontario Corporation No. 002710158 and The Corporation of the City of Belleville be prepared for the construction of a sanitary sewer extension westerly along Avonlough Road from the intersection of Dundas Street West, but that the respective Agreement and related documentation not be signed until such time as the Manager of Approvals advises that the Owners have satisfied all City requirements.

- CARRIED -

8.b.2 PART LOT CONTROL EXEMPTION, POTTERS CREEK SUBDIVISION – PHASE 6, BLOCK 64, PLAN 21M-288 (97 TO 107 ALDERSGATE DRIVE),

OWNER: DUVANCO HOMES INC...

FILE: ER-85

48/20 THAT a by-law to exempt Block 64, Registered Plan 21M-288, City of Belleville, County of Hastings, from the provisions of Section 50(5) of the Planning Act, for a period of 12 months, be

prepared for Council's consideration.

- CARRIED -

8.b.3 ACCEPTANCE OF UNDERGROUND AND WATER SERVICES, CANNIFF MILLS ESTATES SUBDIVISION – PHASE 10, OWNER: STAIKOS HOMES (2014) LIMITED

THAT a by-law to approve and authorize the acceptance of certain underground and water City services in Phase 10 of the Canniff Mills Estates Subdivision be prepared for Council's consideration.

8.b.4 **CONSTRUCTION ACTIVITY HIGHLIGHTS 2019**

REC. NO. 50/20 THAT the Chief Building Official's Report No. CBO-2020-01, re: Construction Activity Highlights 2019 be received.

- CARRIED -

8.b.5 WATER SERVICING AGREEMENT(S) - 53 AND 59 LANE CRESCENT

51/20 THAT by-laws to approve and authorize Water Servicing Agreements between The Corporation of the City of Belleville and the property owners of 53 Lane Crescent and 59 Lane Crescent be prepared for Council's consideration.

- CARRIED -

8.b.6 **2020 BORROWING BY-LAW**

52/20 THAT a by-law to approve the borrowing of funds for the City be parpared for Council's consideration.

- CARRIED -

8.b.7 COURT SECURITY PRISONER TRANSPORTATION (CSPT) PROGRAM, HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE MINISTER OF COMMUNITY SAFETY AND CORRECTIONAL SERVICES

THAT a by-law to approve and authorize the Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Community Safety and Correctional Services for the Court Security Prisoner Transportation (CSPT) Program, be prepared for Council's consideration.

8.b.8 **HEALTH AND SAFETY BY-LAW**

Moved by Councillor Malette Seconded by His Worship Mayor Panciuk

REC. NO. 54/20

THAT pursuant to the Director of Engineering and Development Services' Report No. DEDS-2020-01 a by-law to Regulate Health and Safety on Certain Lands within the City of Belleville be prepared for Council's consideration.

- CARRIED -

8. c. COUNCIL INFORMATION MATTERS

8.c.1 REQUEST SUPPORT OF THE FOLLOWING LETTERS/RESOLUTIONS

 Request Provincial Government Improve Funding of Conservation Authorities to Provide a More Stable Funding Base Preventing Downloading of Costs to Municipalities

January 13, 2020 Resolution from the City of Quinte West

Moved by Councillor Culhane Seconded by Councillor Kelly

55/20 THAT Belleville City Council supports the following resolution of The City of Quinte West:

"WHEREAS the City of Quinte West has been well served by both the Lower Trent Conservation Authority and the Quinte Conservation Authority; and,

WHEREAS we have working service agreements with both Authorities; and,

WHEREAS we value the efforts of the Conservation Authorities to monitor floods, to manage source water protection and to ensure the integrity of the watersheds within our municipality and conserve our natural environment; and

WHEREAS the current Provincial government is reviewing the mandate and potential funding to Conservation Authorities;

BE IT RESOLVED THAT the City of Quinte West requests that the Provincial Government improve their funding of Conservation Authorities to provide a more stable funding base that would prevent any downloading of costs to municipalities;

AND FURTHER THAT the Provincial Government will maintain and not diminish the core mandate of Conservation Authorities;

AND FURTHER THAT we forward this motion to the Minister of Environment, Conservation and Parks, the Minister of Natural Resources, the Premier, the Leaders of all opposition parties, all of our local municipal partners, and AMO to seek their support and concurrence.

- CARRIED -

8. d. RISE AND REPORT

Moved by Councillor Carr Seconded by Councillor Williams

THAT Council rise and report.

9. BY-LAWS

His Worship Mayor Panciuk left the Council Chamber due to his previously declared pecuniary interest.

Moved by Councillor Kelly Seconded by Councillor Thompson

REC. NO. 56/20

THAT By-law Number 2020-16, a by-law to establish area-specific development charges for the Stanley Park Development Area in the Corporation of the City of Belleville, be read a first time.

- CARRIED -

Moved by Councillor Kelly Seconded by Councillor Carr

57/20 THAT By-law Number 2020-16, a by-law to establish area-specific development charges for the Stanley Park Development Area in the Corporation of the City of Belleville, be read a

second time.

- CARRIED -

Moved by Councillor Kelly Seconded by Councillor Culhane

58/20 THAT By-law Number 2020-16, a by-law to establish area-specific development charges for the Stanley Park Development Area in the Corporation of the City of Belleville, be read a third time.

- CARRIED -

His Worship Mayor Panciuk returned to the Council Chamber.

9. a. FIRST READING OF BY-LAWS

Moved by Councillor Thompson Seconded by Councillor Williams

REC. NO. 59/20 THAT the following by-laws be read a first time:

2020-14, a by-law to amend By-law Number 12967 being a by-law to regulate traffic within the corporate limits of the Corporation of the City of Belleville (Section 6, update to authorize positions/titles)

2020-15, a by-law to amend By-law Number 2019-48, being a by-law to provide rules governing the calling, place and proceeding of meetings of the City of Belleville Council and the conduct of its members

2020-17, a by-law to stop-up, close, approve and authorize the conveyance of land in the City of Belleville (Gifford Road)

2020-18, a by-law to approve and authorize the execution of a Servicing Agreement between Village of Avonlea Ltd., Ontario Corporation No. 002710158 and The Corporation of the City of Belleville for the construction of a sanitary sewer extension westerly along Avonlough Road from the intersection of Dundas Street West

2020-19, a by-law to exempt Block 64, Registered Plan 21M-288, City of Belleville, County of Hastings, from the provisions of Section 50(5) of the Planning Act, for a period of 12 months

2020-20, a by-law to aapprove and authorize the acceptance of certain underground and water City services in Phase 10 of the Canniff Mills Estates Subdivision

2020-21, a by-law to regulate health and safety on certain lands within the City of Belleville (Administrative Control Area [AC-01])

2020-22, a by-law to approve the borrowing of funds for the City of Belleville

2020-23, a by-law to approve and authorize an Agreement with Her Majesty the Queen in Right of Ontario as represented by the Solicitor General for the Court Security Prisoner Transportation (CSPT) Program

2020-24, a by-law to approve and authorize the sale of property by The Corporation of the City of Belleville to Task Force Enineering Inc. (1 Market Square)

2020-25, a by-law to approve and authorize the sale of property by The Corporation of the City of Belleville to Task Force Engineering Inc. (132 Pinnacle Street)

2020-26, a by-law to approve and authorize a Water Servicing Agreement between The Corporation of the City of Belleville and Melissa Jacques

2020-27, a by-law to approve and authorize a Water Servicing Agreement between The Corporation of the City of Belleville and Amanda and Nick Meesters

2020-28, a by-law for the use, regulation, and government of parks and public places under the authority of the City of Belleville **ONE READING ONLY**

9. b. SECOND READING OF BY-LAWS AND DISCUSSION

Moved by Councillor Malette Seconded by Councillor Sandison

REC. NO. 60/20 THAT the following by-laws be read a second time:

2020-14	2020-21
2020-15	2020-22
2020-17	2020-23
2020-18	2020-24
2020-19	2020-25
2020-20	2020-26
	2020-27

- CARRIED -

9. c. THIRD READING OF BY-LAWS

Moved by Councillor Cuhane Seconded by Councillor Kelly

61/20 THAT the following by-laws be read a third time:

2019-14, a by-law to approve to amend By-law Number 12967 being a by-law to regulate traffic within the corporate limits of the Corporation of the City of Belleville (Section 6, update to authorized positions/titles)

2020-15, a by-law to amend By-law Number 2019-48, being a by-law to provide rules governing the calling, place and proceeding of meetings of the City of Belleville Council and the conduct of its members

2020-17, a by-law to stop-up, close, approve and authorize the conveyance of land in the City of Belleville (Gifford Road)

2020-18, a by-law to approve and authorize the execution of a Servicing Agreement between Village of Avonlea Ltd., Ontario Corporation No. 002710158 and The Corporation of the City of Belleville for the construction of a sanitary sewer extension westerly along Avonlough Road from the intersection of Dundas Street West

2020-19, a by-law to exempt Block 64, Registered Plan 21M-288, City of Belleville, County of Hastings, from the provisions of Section 50(5) of the Planning Act, for a period of 12 months

2020-20, a by-law to approve and authorize the acceptance of certain underground and water City services in Phase 10 of the Canniff Mills Estates Subdivision

2020-21, a by-law to regulate health and safety on certain lands within the City of Belleville (Administrative Control Area [AC-01])

2020-22, a by-law to approve the borrowing of funds for the City of Belleville

2020-23, a by-law to approve and authorize an Agreement with Her Majesty the Queen in Right of Ontario as represented by the solicitor General for the Court Security Prisoner Transportation (CSPT) Program

2020-24, a by-law to approve and authorize the sale of property by The Corporation of the City of Belleville to Task Force Engineering Inc. (15 Market Square)

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2020-26, a by-law to approve and authorize a Water Servicing Agreement between The Corporation of the City of Belleville and Melissa Jacques

2020-27, a by-law to approve and authorize a Water Servicing Agreement between The Corporation of the City of Belleville and Amanda and Nick Meesters

- CARRIED -

10. <u>NEW BUSINESS</u>

His Worship Mayor Panciuk requested an update from Director of Engineering and Development Services, Stephen Ashton on the Bell Boulevard widening project. Director Ashton informed Council that February 4, 2020 is the closing date for the tender. The successful bid will be presented for Council approval in February and he anticipates contractor will begin project as soon as possible. Completion date for the project up to the approximate area outside of the Costco development site is July 31, 2020.

11. MOTIONS

There were no items brought forward under this section on today's Agenda.

12. NOTICE OF MOTIONS

There were no items brought forward under this section on today's Agenda.

13. ANNOUNCEMENTS

Councillor Thompson congratulated the Salvation Army on the success of this season's campaign and noted they met their goal of \$300,000. This was announced at their dinner which he attended along with Councillor Culhane. Councillor Thompson also spoke about the upcoming Canadian Mental Health Association event "Sleep Out, So Others Can Sleep In" on Friday, January 31st to be held at 250 Sidney Street. There will be an information session from 7:30 p.m. to 12:00 a.m., various speakers from 12:00 a.m. to 4:00 a.m and a breakfast at 5:30 a.m.

His Worship Mayor Panciuk proclaimed the month of February as "Heart Month" in the City of Belleville.

Mayor Panciuk also thanked the Chief Administrative Officer, Rod Bovay and members of the EMC for assistance at a recent emergency meeting to discuss the request from Hydro One to temporarily shut down power to approximately 28,000 customers in the City of Belleville for planned maintenance. He thanked City Staff – in particular Manager Joe Reid, Perry Decola and the Belleville Police Service. He also spoke about the Regional Career Fair being hosted by the City of Quinte West on January 28. Employers from Quinte West and Belleville will be in attendance and there will be shuttle buses beginning at 5:30 p.m. available from Belleville to Quinte West. He also noted the City of Belleville is accepting applications from residents until February 28, 2020 for the Community Gardens. Mayor Panciuk also thanked Council for attending events on his behalf.

His Worship Mayor Panciuk reported attending the following events:

- ROMA Conference EOMC Delegation Jan 21
- Trillium 2000 Seniors Club at Foster Community Hall on Jan 22
- Flood Talk Meeting in Brighton Jan 23
- Robbie Burns Night with Councillors Kelly & Thompson Jan 25 at Legion Branch 99

14. CONFIRMATORY BY-LAW

Moved by Councillor Culhane Seconded by Councillor McCaw

REC. NO. 62/20

THAT By-law Number 2020-29, a by-law to confirm the proceedings of Council at its meeting held on January 27, 2020, be read a first, second and third time and finally passed this 27th day of January, 2020, 2019.

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Moved by Councillor Carr Seconded by Councillor Malette

THAT this session of Council be adjourned.

MAYOR	CLERK